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Inaugural Address of Samuel M. Ralston, Governor-elect. Released for publication at 1 o'clock, Monday, Jan. 13, 1913.

Senators, Representatives and Fellow Citizens:

The oath I have just taken binds me most solemnly to the faithful discharge of high official duties. It pledges me to loyalty to the constitution of my state and to the constitution of my country, and imposes upon me duties to the citizenship under both. The sincerity with which I have taken this obligation cannot now be known to those whom I am pledged to serve. By my official conduct their confidence in me will either be strengthened or destroyed. I intend it shall be strengthened.

On the 13th day of January, 1873—forty years ago this day—one of Indiana's most cultured gentlemen and ablest statesmen, Thomas A. Hendricks, was inaugurated Governor of Indiana. In his inaugural address he said:

"It is not expected of me upon this occasion to consider, with any degree of particularity, the subjects of legislation that may occupy your attention at the present session. That duty has been discharged by my predecessor. But I cannot avoid a reference to some subjects of special interest and importance."

As in the case of the predecessor of Governor Hendricks, my distinguished predecessor, Governor Marshall, has complied with the provision of the Constitution requiring the Governor to communicate with the General Assembly, and this renders it unnecessary that I should address a formal message to the legislature at this time. The reference I shall now make to any particular subject of legislation will be made not so much with a view of indicating the character of any law that should be enacted as with a view of showing the direction I am now facing and shall continue to face during my administration.

I assume that the Democratic majority of the present legislature will abide by and promptly proceed to carry out the last platform declarations made by its party in this state. This will include an efficient primary election law and a general revision of the road laws. Not to carry out this platform would be a betrayal of the people's confidence.

Numerous and serious questions frequently arise between public utility companies and their patrons or customers, involving in many instances to a greater or less extent the public. These questions sometimes take the form of real controversies growing out of methods pursued

pulsory under the Indiana constitution is a question. If a law on this subject is enacted containing a compulsory provision and it otherwise meets my approval I shall let the supreme court say whether it is constitutional.

In my opening campaign speech last fall, I stated that while I personally favored a constitutional convention, I had no authority to commit my party to such a movement, but that without regard to my individual views, I would, in the event of my election, make such recommendations as to the advisability of calling a convention as I believed fairly represented the views of the people.

What then are the views of the people on this subject? The Democratic legislature in 1911 believed that the present constitution of Indiana did not meet the requirements of the people, and so holding it prepared for submission to the voters of Indiana a new constitution.

The Progressive and the Republican parties in their respective platforms of 1912 declared in favor of a constitutional convention. So unless the Democratic legislature of 1911 and the Progressive and the Republican parties were all mistaken the people of Indiana are in need of and want a new constitution.

Is it strange that they should desire an up-to-date organic law? Their present constitution was adopted more than sixty years ago. Since then the development of our state has been marvelous. Its population has greatly increased and its intellectual social and material progress have multiplied many fold. New questions have arisen that cannot be solved under the present instrument and new conditions make it necessary for the people to assert rights they can not exercise thereunder.

What is a government for if it is not to serve the purpose of the people? Thomas Jefferson believed so strongly that this was the object of government that he maintained that a constitution should contain a provision for its revision every twenty years. There have been but few, if any, men in this state who excelled the late Governor Isaac P. Gray in ability accurately to interpret public sentiment. In his message to the legislature more than thirty years ago he strongly advocated the calling of a constitutional convention.

I have thus briefly stated the facts that I believe show the people want a new constitution, and personally I favor a constitutional convention. I recognize that it is the duty of legislators, before favoring such a convention, to consider the expense of the same from the standpoint of their constituents, and in view of the present financial condition of the state and

ment. Impressed by the example thus set by the people, and revering constitutional provisions, I shall conscientiously strive to confine my official acts to the executive sphere prescribed by the constitution, and steadfastly refrain from attempting coercive methods respecting the other branches of government.

Those called to official positions of grave responsibility cannot hope rightfully to respond to the demands of the public, if they close their eyes to the conditions of society and the spirit of the times. Indifferently, indeed, has he lived who does not understand that the people know their government is slipping away from them and that they are pleading for honest public servants. The newspaper and the magazine are abroad in the land. The Isaiahs of national progress are crying unto the people to reclaim the government of their own making, and with hearts that shall not fail and with a courage that shall endure they will ultimately have their Runnymede.

We should not forget, however, that wild declamation disorganizes and frustrates the plans of those working for the general good. Recognizing this truth the people are coming more and more to lay their heads together on matters of public concern, with the view of being able to give helpful advice to those in authority over them. Hence the official entreaty to the populace should be, "Come, let us reason together." This was the conception of law making the philosophical Burke had in mind when he declared that "In all forms of governments the people is the true legislator."

In national as in state affairs they have solved intelligently every question they have had to consider. I sometimes think that men in public station do not always correctly estimate the wisdom and the character of American citizenship. While our citizens are aggressive and at times seem to act hastily, they are nevertheless given to serious thought. This is true because the average American is capable of a high order of friendship and has the ability to acquire property. Love for man and a desire for property suggest the necessity for law and order and so it is that the average American citizen stands for obedience to law.

Unless the law is enforced constitutional guarantees become but the dreams of our fathers and the most sacred rights of citizenship have nothing secure upon which to rest. Before the law the rich and the poor, the capitalist and the laborer must stand upon an equality. As Governor I shall have no favorites in the execution of the law, and let it now be understood that I shall hold that the mind which devises a scheme that

Inaugural Address of Samuel M. Hinton, Governor-elect. Released for publication at 1 o'clock, Monday, Jan. 12, 1913.

Senators, Representatives and Fellow Citizens:

The oath I have just taken binds me most solemnly to the faithful discharge of high official duties. It pledges me to loyalty to the constitution of my state and to the constitution of my country, and imposes upon me duties to the citizenship under both. The sincerity with which I have taken this obligation cannot now be known to those whom I am pledged to serve. By my official conduct their confidence in me will either be strengthened or destroyed. I intend it shall be strengthened.

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"It is not expected of me upon this occasion to consider, with any degree of particularity, the subjects of legislation that may occupy your attention at the present session. That duty has been discharged by my predecessor. But I cannot avoid a reference to some subjects of special interest and importance."

As in the case of the predecessor of Governor Hendricks, my distinguished predecessor, Governor Marshall, has complied with the provision of the Constitution requiring the Governor to communicate with the General Assembly, and this renders it unnecessary that I should address a formal message to the legislature at this time. The reference I shall now make to any particular subject of legislation will be made not so much with a view of indicating the character of any law that should be enacted as with a view of showing the direction I am now facing and shall continue to face during my administration.

I assume that the Democratic majority of the present legislature will abide by and promptly proceed to carry out the Joint platform declarations made by its party in this state. This will include an efficient primary election law and a general revision of the road laws. Not to carry out this platform would be a betrayal of the people's confidence.

Numerous and serious questions frequently arise between public utilities companies and their patrons or customers, involving in many instances to a greater or less extent the public. These questions sometimes take the form of real controversies growing out of the methods pursued

in the rates charged for service, in the rates of service rendered. One of these conditions has grown quite a general one, and in different sections of the state for public utilities companies. Such a condition as is well known would be vested with authority over telephone companies, gas companies, electric light companies, water companies, power companies, street car companies, interurban traction companies and kindred utilities companies, and I recommend the creation of the same.

The many properties and the vast amount of capital that would be employed under the jurisdiction of a utilities commission indicate the ability and care required in drafting a utilities law absolutely fair to both the public and those having their money invested in such properties.

A utilities law should empower the commission to make physical valuation and to ascertain the amount invested and the amount necessary to keep up repairs and pay operating expenses. These things are essential to be known as a basis for arriving at proper charges for service. It is important that the law should contain a provision against watered stock and overvaluing, and against abuses in granting franchises, and I should require a system of uniform accounting.

I hope the legislature will make a zealous effort to enact a satisfactory law on this subject. While the people are alert on questions of this character and are demanding proper service by utilities companies at reasonable rates, they do not wish to work oppression upon them. They desire only what is right between man and man, and to my personal knowledge there are utilities companies in this state that share this view with the people.

The majority of American citizens are neither rich nor poor. The mass of limited means, therefore who honors his country in times of peace and defends her institutions in times of war, is entitled to have a voice in the share of public expenditure. To this end I hope the legislature will enact an inheritance tax law.

Corporations are creatures of the state. They have no authority to issue stocks and bonds or securities in any form except as the state vests them with power to issue the same. There should be a law against the issuance and sale of watered securities, unless on the face thereof the amount or per cent of water therein is accurately stated.

We should have in this state a workman's compensation law. Wherein such a law can be made com-

pulsory under the Indiana constitution is a question. If a law on this subject is enacted containing a compulsory provision and it otherwise meets my approval I shall let the supreme court say whether it is constitutional.

In my opening campaign speech, last fall, I stated that while I personally favored a constitutional convention, I had no authority to commit my party to such a movement, but that without regard to my individual views, I would, in the event of my election, make such recommendations as to the advisability of calling a convention as I believed fairly represented the views of the people.

What then are the views of the people on this subject? The Democratic legislature in 1911 believed that the present constitution of Indiana did not meet the requirements of the people, and so holding I prepared for submission to the voters of Indiana a new constitution.

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It is strange that they should desire an up-to-date organic law? Their present constitution was adopted more than sixty years ago. Since then the development of our state has been marvelous. Its population has greatly increased and its intellectual and material progress have multiplied many fold. New questions have arisen that cannot be solved under the present instrument, and new conditions make it necessary for the people to assert rights they can not exercise thereunder.

What is a government for if it is not to serve the purpose of the people? Thomas Jefferson believed so strongly that this was the object of government that he maintained that a constitution should contain a provision for its revision every twenty years. There have been but few, if any, men in this state who excelled the late Governor Isaac P. Gray in ability accurately to interpret public sentiment. In his message to the legislature more than thirty years ago he strongly advocated the calling of a constitutional convention.

I have thus briefly stated the facts that I believe show the people want a new constitution, and personally I favor a constitutional convention. I recognize that it is the duty of legislators, before favoring such a convention, to consider the expense of the same from the standpoint of the constituents, and in view of the present financial condition of the state and the fact that the Indiana State Fair, Indiana Exposition and a Memorial Building I should also add in this connection that it is perfectly proper for the legislature to consider whether a convention should be called while the constitution submitted by the legislature of 1911 is involved in litigation on appeal in the supreme court of the United States.

While I was nominated for governor as a party man and elected as such and am with pride still a Democrat without apology, I do not fail to recognize in the hour of triumph that the hopes and prejudices of a campaign have been succeeded by the calm so essential to good neighborhood and the public welfare. I am admonished by the character of my oath of office that I am not now the representative of a political party, except in a limited sense, but that I am the servant of all the people without regard to creed or party and without regard to the manner born.

By the first line of our state constitution the people of Indiana dedicated themselves to the sublime doctrine of the equality of man. This idea or principle of government existed in the remote past in sentiment only. Sooner, the pagan philosopher was perhaps the first to recognize it as a controlling principle in society and government, when he declared his contemplation of death that "The chief part of equity is equality."

As the surest means of vitalizing this principle in the affairs of men, our Federal and State governments are each divided into three distinct divisions with separate functions and without any power on the part of any one to exercise the functions of either of the others.

Whether we look to the Federal or State government, the fact appears that the people have not only deflected with great accuracy the duties of each division of their government but they have furnished the world the unprecedented example of voluntarily surrendering a part of their unlimited power. They deprived themselves of all legislative, executive and judicial authority, and before they can perform any of these functions of government they must re-vest themselves with the necessary power therefor by constitutional methods they themselves have devised.

The thought I want to leave you with at this point is this: if the people, the source of all power, refuse to exercise power they have delegated until they can in a formal and orderly way re-vest themselves with authority to act, their conduct in this respect should afford a solemn admonition against the usurpation of authority by any branch of the govern-

ment. Impressed by the example thus set by the people, and revering constitutional provisions, I shall conscientiously strive to confine my official acts to the executive sphere and prescribed by the constitution, and steadfastly refrain from attempting coercive methods respecting the other branches of government.

Those called to official positions of grave responsibility cannot hope rightfully to respond to the demands of the public, if they close their eyes to the conditions of society and the spirit of the times. Indifferently, indeed, has he lived who does not understand that the people know their government is slipping away from them and that they are pleading for honest public servants. The newspaper and the magazine are abroad in the land. The instincts of national progress are crying unto the people to reclaim the government of their own making, and with hearts that shall not fail and with a courage that shall endure they will ultimately have their Runtymede.

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Unless the law is enforced constitutional guarantees become but dreams of our fathers and the most sacred rights of citizenship have nothing secure upon which to rest. Before the law the rich and the poor, the capitalist and the laborer must stand upon an equality. As Governor Marshall said, "I believe in the execution of the law, and I believe now that I should hold that the mind which devises a scheme that the dependent classes are to be the offense in obedience to orders."

A free government, resting upon the consent and having the love and support of all the people, should not be chargeable with class legislation. This sort of legislation is the trait of The Beast through the people's law making body, and is the rankest sort of injustice to the masses. It repudiates the doctrine of equal and exact justice to all men, special privilege to none, and eliminates the will of the people as a factor in the enactment of laws. I believe in the accumulation of property but the acquisition of riches by the special interests, through the perversion of the functions of government, tends to divide the people into classes and weakens their confidence in the government. The supremacy of the people over the combined forces of the demand of the day and the political party now entrusted with power that does not meet this demand will be repudiated by the people at their first opportunity.

I make no attack upon property. Property rights are shielded by constitutional guarantees and must be respected. Nor am I hostile to corporations. On the contrary, I recognize their worth. The business of the country could not be carried on without them. But I insist that when they dominate legislatures and control the people's government in their own interest, they violate the law of their creation, become wrong doers against the public and should be dealt with accordingly. But corporations, like individuals, when they are arraigned for wrong doing, either before the bar of public opinion or in the halls of justice, must be tried according to the rules of justice. It may, therefore, be appropriately observed in this connection that the loudest denunciation does not necessarily indicate the surest way to the reform the people want, and that catch phrases often lead in the opposite direction to real progress.

Senators, Representatives, I hope that when your legislative duties are concluded, you will have it satisfaction of knowing you have, as law makers, met the reasonable expectation of the people. To be conscious of having served your state to a noble purpose will strengthen you in your future work and comfort you when the shadows fall about you.

Those representing the co-ordinate branches of government should sustain a relation of trust and confidence with one another, and I ask all with whom I shall be associated in an official way to aid me in giving the people a more efficient and a public serving administration.